

**IN UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS**

SHERMAN DIVISION

FILED

DATE: 1/21/2021

JAN 21 2021

MAGISTRATE JUDGE

COURT REPORTER: **Digital Recording**  
US Probation Office: Lorene Dudley by phone

**Christine A. Nowak**

COURTROOM DEPUTY: Lori Stover

USA v. Troy Anthony Smocks	4:21MJ33-1 KPJ
<b>ATTORNEYS FOR GOVERNMENT</b>	<b>ATTORNEY FOR DEFENDANT</b>
Tracey Batson, AUSA	James Whalen, Retained

On this day, came the parties by their attorneys and the following proceedings were held in Sherman, TX:

TIME:	MINUTES: PRELIMINARY/DETENTION HEARING
10:11 am	Court is now in session. Counsel for the Government and Defendant appeared and are ready to proceed. Defendant is present and ready to proceed.
	The Court outlines the procedural history in this case. The Government states this is not a presumption case.
10:15 am	Ms. Batson calls Agent Kendrick.Chumak. Agent Chumak is sworn and offers direct testimony.
10:43 am	Defendant Troy Smocks was identified as present in the courtroom by Agent Chumak.
11:00 am	Cross Examination of Agent Chumak by James Whalen.
11:04 am	James Whalen offers Exhibit 1 and 2 and they are admitted into evidence without objection.
11:30 am	Redirect examination of Agent Chumak by Tracey Batson.
11:41 am	Recross Examination of Agent Chumak by James Whalen
11:42 am	The Court clarifies witness testimony.
11:46 am	James Whalen makes an oral proffer.
11:49 am	Court hears argument.
12:12 pm	The Court rules that probable cause has been established and that the defendant shall be detained.

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12:16 pm	The Court will issue an order regarding same. Defendant is remanded to custody of USM.
12:16 pm	Court is in recess.

DAVID O'TOOLE, CLERK

BY: Lori Stover  
Courtroom Deputy Clerk